

ARTICLE V

Section 14. **DISTRICT REGULATIONS AND SCHEDULES.**

A. **Schedule of Regulations.** Regulations and controls affecting the use of land in the Town of Fabius are set forth in **Schedule I**. Regulations and controls affecting lot size, yards, building height and similar area and dimensional considerations are set forth in **Schedule II**. Said **Schedules I** and **II** are hereby adopted and, with all explanatory matter and references thereon, or related to, are hereby made part of this Law and included herewith.

B. **Excluded Uses or Activities.** Any land use or activity not set forth in **Schedule I** is not permitted in the Town of Fabius until such use is included in the said **Schedule I** by an amendment to this Law in accordance with Article XI, Section 24 hereof.

C. **Special Conditions and Special Permits.** When **Schedule I** specifies that special conditions apply to a land use or structure, or that a special use permit is required, a building permit will be issued for such land use or structure only after applicable conditions have been met or a special use permit has been authorized.

D. **Schedule I: Land Uses and Activities** (following).

E. **Schedule II: Lot Size, Yards, Height** (following **Schedule I**).

SCHEDULE I: LAND USES AND ACTIVITIES - TOWN OF FABIUS

P = Permitted as of Right SC=Permitted with Special Conditions (See Sec.15.C) SP=Special Use Permit needed (See Sec.15.D) NP=Not Permitted	DISTRICT						REFERENCE
	A-1	A-2	R-1	R-2	C-1	I-1	
LAND USE							
1 Dwelling, one family	P	P	P	P	P	P	
2 Dwelling, two family	SP	SP	P	P	P	NP	See Sec. 15.D.3.(a)
3 Dwelling, multiple family	NP	NP	SC	SC	SC	NP	See Sec.15.C.3
4 Dwelling, converting an existing dwelling into 2 dwellings	SP	SP	P	P	P	NP	See Sec.15.D.(a)
5 Dwelling, factory manufactured	P	P	P	P	P	P	See Definitions
6 Dwelling, double-wide manufactured home	SC	SC	SC	SC	SC	SC	See Definitions See. Sec.15.C.4
7 Mobile home	SC	SC	SC	SC	NP	NP	See Sec.15.C.5
8 Farm, farming, farm building, sale of farm products	P	P	P	P	NP	NP	
9 Roadside stand	SC	SC	SC	SC	SC	NP	See Sch.15.C.6
10 Agricultural, industrial or educational research	SP	SP	NP	NP	NP	SC	See Sec.15.C.7 for I-1 See Sec.15.D.3.(b) for A-1, A-2
11 Customary accessory use	P	P	P	P	P	P	See Definitions
12 Home occupation or business	SC	SC	SC	SC	SC	SC	See Sec.15.C.8
13 Public and private school	SP	SP	SP	SP	NP	NP	See Sec.15.D.2 & Must comply with existing law
14 Church, parish house, place of worship	SP	NP	SP	SP	NP	NP	See Sec. 15.D.3.(c)
15 Public library	P	NP	P	P	P	NP	
16 Municipal bldg., commty. center	P	P	P	P	P	P	
17 Park, playground	P	P	SP	SP	NP	NP	See Sec.15.D.2
18 Convalescent home	NP	NP	SP	SP	NP	NP	See Sec.15.D.3.(d)
19 Bed and breakfast	SP	SP	SP	SP	SP	NP	See Sec 15.D.3.(e)
20 Store, shop for conducting any retail business	NP	NP	NP	NP	P	P	

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LAND USE							
21 Bank, office, restaurant, similar community service	NP	NP	NP	NP	P	P	
22 Barber/beauty shop, and similar personal service business (not as a home business)	NP	NP	NP	SP	P	P	See Sec.15.D.2
23 Convenience (mini) mart	NP	NP	NP	SP	SP	SP	See Sec.15.D.3.(f)
24 Mixed commercial/residential use	NP	NP	NP	SP	SP	NP	See Sec.15.D.2
25 Garage, filling station	NP	NP	NP	NP	SC	P	See Sec.15.C.9
26 Commercial self-storage facility	NP	SC	NP	NP	SC	SC	See Sec. 15-C.10
27 Commercial plant nursery; greenhouse	P	NP	SP	NP	NP	SP	See Sec.15.D.2
28 Commercial stable	SC	SC	NP	NP	NP	NP	See Sec.15.C.11
29 Kennel; animal boarding	SC	SC	SC	NP	NP	NP	See Sec.15.C.12
30 Car wash	NP	NP	NP	NP	SC	SC	See Sec.15.C.13
31 General processing, light manufacturing or assembly	NP	NP	NP	NP	NP	SP	See Sec.15.D.2
32 Warehouse or storage of nonagricultural material	NP	NP	NP	NP	NP	SP	See Sec.15.D.2
33 Removal of topsoil, sand, gravel and rock	NP	NP	NP	NP	NP	NP	See Sec.15.A.7
34 Telecommunication tower, pipeline, transmission line, and other utilities	SC	SC	SC	SC	SC	SC	See Sec.16.A.
35 Fire station and related service and similar public safety building and facility	SC	SC	P	P	P	P	Town Board approval required in A-1 and A-2 Districts
36 Wind, solar and similar alternative energy sources	SC	SC	NP	NP	NP	NP	See Sec.15.C.14
37 Sign	SC	SC	NP	NP	SC	SC	See Sec.15.C.15
38 Sign-outdoor advertising billboard	NP	NP	NP	NP	NP	NP	See Definitions
39 Junk yard for vehicles and other junk storage	NP	NP	NP	NP	NP	NP	See Definitions

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	A-1	A-2	R-1	R-2	C-1	I-1	
LAND USE							
40. Storage of wrecked or inoperable vehicle	SC	SC	SC	SC	SC	SC	See Definitions See Sec. 15.C.16
41 Adult uses	NP	NP	NP	NP	SP	NP	Must comply with Fabius Local Law No.1 of the year 1999
42 Other uses not specifically listed in this Schedule I	NP	NP	NP	NP	NP	NP	See Sec. 14 B

SCHEDULE II: LOT SIZE, YARDS, HEIGHT* - TOWN OF FABIUS

Dist.	Land use	Minimum lot area (acres or sq.ft.)	Minimum lot size (feet)		Minimum yard set back (feet)			Max. bldg. height** (feet)	Remarks
			width	depth	front	side (each)	rear		
A-1	all dwellings	2 acres	300	300	50	50	50	35	Note 1
	all other uses	5 acres	300	300	100	75	50	35	
A-2	all uses	2 acres	300	300	100	50	50	35	Note 1
R-1	1&2 fam. dwg.	1 acre	125	100	50	25	50	35	Notes 1 & 2
	multi-family dwelling	15,000 sf. per d.u. w/ Health Dept. approval of septic systems	125	100	50	25	50	35	
	all other uses	1 acre	100	100	50	20	50	35	
R-2	1&2 fam. dwg.	1 acre	100	100	25	15	25	35	Notes 1 & 2
	multi-family dwelling	15,000 sf. per d.u. w/ Health Dept. approval of septic systems	100	100	25	15	25	35	
	all other uses	1 acre	80	100	25	15	25	35	
C-1	1&2 fam. dwg. dwelling	1 acre	80	100	25	15	25	35	Notes 1, 2 & 3
	multi-family dwelling	15,000 sf. per d.u. w/ Health Dept. approval of septic systems	100	100	30	20	25	35	
	all other uses	1 acre	80	100	5	5	25	35	
I-1	all uses	1 acre	100	200	25	15	20	35	Note 1

dwg. = dwelling; d.u. = dwelling unit

* Minimum area, lot size and set back requirements may be modified by Special Conditions or Special Permit requirements which take precedence over this Schedule II.

** Maximum building height does not apply to agricultural uses.

Note 1: To preserve the traffic-carrying capacity of major roads and reduce the accident potential related to multiple driveway intersections on major roads, minimum lot width on any lot fronting on Route 80 and Route 91 is 500 feet.

Note 2: Corner Lot Transition. On every corner lot in a residential and commercial district there shall be provided on both streets a yard equal in depth to that required for the front yard.

Note 3: Side Yard Transition. Where a lot in a commercial district is adjacent to a lot in a residential district there shall be provided along such adjacent lines a side yard of 30 feet in the commercial district.